

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

LISYtte STALLWORTH : CASE NO.  
4346 W. 61<sup>st</sup> Street  
Cleveland, Ohio 44144 : JUDGE

Plaintiff, :  
vs. : COMPLAINT

GOLD'S GYM :  
6700 Biddulph Avenue  
Brooklyn, Ohio 44144 :

Defendant. :

Plaintiff Lisytte Stallworth, for her Complaint against Defendant, states and alleges as follows:

COUNT I

1. On May 1, 2017 at approximately 6:40 pm Plaintiff Lysette Stallworth was walking through Defendants facility when she was struck by a medicine ball and injured.
2. The direct and proximate cause of the incident referred to above was Defendant's negligence.
3. At the above stated date and time Plaintiff was a paid member of Defendants facility.



4. At the date and time of the alleged incident an employee of defendant, Gold's Gym, was conducting a training session with another member of defendant's facility.

5. Defendants employee was instructing the member on how to throw a medicine ball.

6. Defendant's employee became distracted during the training session and was not aware that the member she was instructing had thrown the medicine ball back to her.

7. As a direct and proximate result of Defendant's employee's negligence, Plaintiff, Lysette Stallworth sustained serious injuries, including, but not limited to her left knee and low back.

8. As a direct and proximate result of Defendant, Gold's Gym's negligence Plaintiff, Lysette Stallworth was personally injured; incurred medical care and treatment, and is reasonably certain to incur the same into the indefinite future; sustained severe pain, suffering, anxiety and a loss of ability to perform the usual activities of daily living and is reasonably certain to sustain additional pain, suffering, anxiety, and the inability to perform the usual activities of life in the future, incurred medical and other expenses, and all of her injuries are permanent in nature.

Wherefore, Plaintiff Lysette Stallworth demands judgment against Defendant in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00), plus interest, attorney fees, costs, and such other relief to which she may be entitled.

Plaintiff also hereby demands a jury trial in the above captioned matter

RESPECTFULLY SUBMITTED,

MUSCA & MIRALIA

/s/ Benedict P. Miralia  
BENEDICT P. MIRALIA (0039594)  
526 E. Superior Ave., #353  
Cleveland, Ohio 44114  
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Counsel for Plaintiff

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CUYAHOGA COUNTY, OHIO 44113

CASE NO.  
CV19914480

D1 FX

SUMMONS NO.  
38690888

Rule 4 (B) Ohio

LISYETTE STALLWORTH  
VS  
GOLDS GYMPLAINTIFF  
DEFENDANT**SUMMONS**Rules of Civil  
ProcedureGOLDS GYM  
4001 MAPLE AVENUE  
SUITE 200  
DALLAS TX 75219-0000

Said answer is required to be served on:



Plaintiff's Attorney

BENEDICT P MIRALIA  
526 SUPERIOR AVE., EAST  
  
SUITE 353  
CLEVELAND, OH 44114-0000

You have been named defendant in a summons complaint (copy attached hereto) filed in Cuyahoga County Court of Common Pleas, Cuyahoga County Justice Center, Cleveland, Ohio 44113, by the plaintiff named herein.

You are hereby summoned and required to answer the complaint within 28 days after service of this summons upon you, exclusive of the day of service.

Said answer is required to be served on Plaintiff's Attorney (Address denoted by arrow at left.)

Your answer must also be filed with the court within 3 days after service of said answer on plaintiff's attorney.

If you fail to do so, judgment by default will be rendered against you for the relief demanded in the complaint.

Case has been assigned to Judge:

KELLY ANN GALLAGHER  
Do not contact judge. Judge's name is given for attorney's reference only.DATE SENT  
May 22, 2019By \_\_\_\_\_  
DeputyNAILAH K. BYRD  
Clerk of the Court of Common Pleas*Betty M. Bryant*

COMPLAINT FILED 04/25/2019

